

CA 06-232

**READ COMPLAINT YOU PIECE OF SHIT  
[I WILL BE ANOTHER "Elena Ruth Sassower"] AND I AM  
DISABLED**

**I AM GOING TO DC**



THE EEOC DENIED OLGA A APPEAL I HAVE CERTIFIED MAIL TO EEOC THEY GAVE HER 10 DAYS  
BUT CLOSED HER CASE OUT IN SEVEN DAYS NOT 10 DAYS UNDER LAW OLGA STILL WAS MAILING INFO IN  
BY  
CERTIFIED MAIL

I WAS DENIED POWER OF ATTORNEY

I HAD THE RIGHT OF LOSS CONSORTIUM I AM DISABLED AS VERIFIED IN ORIGINAL LAW SUIT  
OLGA WAS THE BREAD WINNER NOT ME YOU PIECE OF SHIT.

YOU BUMS STOLE OUR LIVES, IT IS NOT A BAD DECISION YOU STOLE OUR CIVIL LIBERTIES AND  
FOURTEENTH AMENDMENT AND NINTH.

**Fed.R.Civ.P. 8(f) reads: "All pleadings shall be so construed as to do  
substantial justice."**

Do not fear Federal Judges of The Third District they do not have Judicial Immunity when they steal a litigants  
(Plaintiff and/or defendants civil rights)  
Judges as Criminals. TRESPASSERS OF THE LAW.

If a judge does not fully comply with the Constitution, then his orders are void, In re Sawyer,  
124 U.S. 200 (1888), he/she is without jurisdiction, and he/she has engaged in an act or acts of  
treason.  
TREASON

Whenever a judge acts where he/she does not have jurisdiction to act, the judge is engaged in  
an act or acts of treason. U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471, 66 L.Ed.2d 392, 406  
(1980); Cohens v. Virginia, 19 U.S. (6 Wheat) 264, 404, 5 L.Ed 257 (1821)2

*Larry E. Odell and*

2

05/12/2006 5 ORDER TO SHOW CAUSE: Plaintiff Joseph D'Alessandro shall show cause, in writing, by 6/6/2006, why he should not be enjoined from filing without prior authorization from the Court. Signed by Judge Kent A. Jordan on 5/12/06. (rwc, ) (Entered: 05/12/2006)

YOUR ORDER IS VOID FRIVOLOUS AND MOOT

**[READ COMPLAINT YOU BUM]**

Saturday, May 13, 2006

**EXHIBIT: [A]**

***[United State Constitution You Phony]***

I demanded a jury trial not some FRIVOLOUS decision by a LAWYER not elected by the PEOPLE of The United States.

**LISTEN YOU BUM I WILL DRAW ATTENTION WORLDWIDE TO YOU CRIMINALS.**

**[I WILL BE ANOTHER "Elena Ruth Sassower"]  
AND I AM DISABLED**

**ALL I WANTED WAS A VOICE TO BE HEARD ACCORDING  
TO OUR UNITED STATES CONSTITUTION THEN IF YOU  
DISMISSED MY CASE I WOULD RESPECT THAT ORDER.  
BUT YOU CRIMINALS STOLE THAT RIGHT.**

THE UNITED STATES DISTRICT COURT

**FOR THE DISTRICT OF DELAWARE**

**Mr. Joseph D'Alessandro  
23136 Angola Estates Lewes, Delaware 19958  
302 945 1554 Mr. Joseph D'Alessandro (Pro Se)**

**Plaintiffs**

**Civil Docket No. 1:06-cv-00232-KAJ  
VERIFIED COMPLAINT DEMAND A JURY TRIAL (seventh**

**amendment)**

**v.**

**UNITED STATES OF AMERICA  
(through the federal judicial courts)**

**"I HAVE THE SAME CIVIL RIGHTS AND LEGAL RIGHTS AS ANY Thug in a  
Black Robe"**

**J. Curtis Joyner individually and as a Federal Employee,  
Sue L. Robinson individually and as a Federal Employee, Joseph H. Rodriguez  
individually and as a Federal Employee, Ruggero J. Aldsiert individually and as a Federal Employee,  
Morton I. Greenberg individually and as a Federal Employee, Marjorie O. Rendell  
individually and as a Federal Employee, and Joseph J. Farnan, Jr. individually and as a  
Federal Employee, Gregory M. Sleet individually and as a Federal Employee.**

**DEFENDANTS**

**I have a right to a Hearing under the Federal Administrative Act, and Judicial code od conduct**

**1. Text intended to separate ideas.**

**Why because the defendants denied Joseph D'Alessandro his "SUBSTANTIVE DUE PROCESS"**

**CIVIL & LEGAL RIGHTS OF THE POOR & DISABLED &  
EVERY CITIZEN AND NON-CITIZEN**

**Annotation**

**Do not fear Federal Judges of The Third District they do not have Judicial Immunity when they steal a litigants  
(Plaintiff and/or defendants civil rights)  
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an act or acts of treason. U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471, 66 L.Ed.2d 392, 406**

(1980); *Cohens v. Virginia*, 19 U.S. (6 Wheat) 264, 404, 5 L.Ed 257 (1821)2

## 2. Text intended to separate ideas.

**"If you do not know your rights you have no rights"**

## **SUBSTANTIVE DUE PROCESS OF LAW**

**You have no rights to take my freedom away.**

### **This is what it conveys. The Law Of The Land Federal & State.**

The "why" is substantive due process. Even if an unreasonable law and/or regulations (CFR) are and/or is passed and signed into law legally (procedural due process), substantive due process makes the law unconstitutional.

**Fed.R.Civ.P. 8(f) reads: "All pleadings shall be so construed as to do substantial justice."**

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## 3. Text intended to separate ideas.

1. My First Amendment Rights supercede CHAPTER 123 FEES AND COSTS  
§section 1915. Proceedings in forma pauperis

2. As a citizen of the United States I exercise my First Amendment Rights  
AMENDMENT 1

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

3. The Corrupt Federal Courts and its judges are my Government according to our First Amendment.

I need no money to redress my Government or file any federal Lawsuit.

### ARTICLE III, Section 1.

4. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

### ARTICLE III, Section 2.

5. (1) The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; to all Cases affecting Ambassadors, other public Ministers and Consuls; to all Cases of admiralty and maritime Jurisdiction; to Controversies to which the United States shall be a Party; to Controversies between two or more States; (between a State and Citizens of another State;) between Citizens of different States; between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof and foreign



States, (Citizens or Subjects.)

6. The right of the federal courts to handle "cases arising under this Constitution" is the basis of the Supreme Court's right to declare laws of Congress unconstitutional. This right of "judicial review" was established by Chief Justice John Marshall's historic decision in the case of *Marbury v. Madison* in 1803.

Do not use this phony excuse to dismiss my claim.

#### **CHAPTER 123 FEES AND COSTS**

7. Section 1915. Proceedings in forma pauperis

(e)

(1) The court may request an attorney to represent any person unable to afford counsel.

(2) Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that—

(A) the allegation of poverty is untrue; or

(B) the action or appeal—

(i) is frivolous or malicious;

(ii) fails to state a claim on which relief may be granted; or

(iii) seeks monetary relief against a defendant who is immune from such relief.

**I PAID OVER \$2,000.000.00 THOUSAND DOLLARS IN FILING FEES TO HAVE**

**MY VOICE HEARD UNDER OUR SEVENTH AMENDMENT, FIRST, FIFTH, NINTH, AND**

**FOURTHEENTH AMENDMENTS.**

**This is a criminal enterprize:**

**THE THIRD CIRCUIT FEDERAL DISTRICT COURT ORDERS BY THE ABOVE**

**DEFENDANTS ARE VOID, MOOT, FRIVILOUS, AND MALICIOUS.**

**If a judge does not fully comply with the Constitution, then his orders are void, *In re Sawyer*, 124 U.S. 200 (1888), he/she is without jurisdiction, and he/she has engaged in an act or acts of treason. TREASON**

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**Article III Itself does guarantee a hearing in federal court.**

#### **Federal Rules of Civil Procedure**

##### **Rule 41. Dismlssal of Actions**

**A Federal Judge has no Constitutional Right to dismiss any Plaintiffs right to a Civil Action without first holding a hearing and plaintiffs voice to be heard.**

**United States Supreme Court & United States Constitution First Amendment, Fifth, Seventh, Ninth, and Fourteenth, all apply to State and Federal Law.**

**The Federal Courts are a Federal Government Agency under the control of Federal Judicial Center.**

The Federal Judicial Center is the research and education agency of the federal judicial system. It was established by Congress in 1967 (28 U.S.C. §§ 620-629), on the recommendation of the Judicial Conference of the United States. The many specific statutory duties of the Center and its Board fall into a few broad categories:

Futhermore Plaintiffs where denied a hearing under the Federal Administrative Procedures Act. Mrs. Olga D'Alessandro was denied a Hearing by The Equal Employment Opportunity Commission, denying Mrs. D'Alessandro her Civil Rights, and Civil Liberties under the Federal Administrative Procedures Act. Judge Joyner said Mrs D'Alessandro has no Civil Rights etceteras. [Plaintiffs haxe Prima-Facie Evidents].

“Administrative due process requires:

- (1) opportunity to be heard.
- (2) due notice of hearing
- (3) fair conduct of hearing
- (4) support in record for decision
- (5) submission of proposed findings and tentative report
- (6) opportunity to file and to be heard upon exceptions to the report

[Ideal Farm, Inc. v. Benson, D.C. N.J. 1960, 181 F Supp 62, affirmed 288 F2d 608, Certiorari denied 83 Sct 1087, 327 US 965, 10 Led2d 128]

“The requirement of fair trial is binding on administrative agencies as well as on the courts” [U.S. v. Brad, D.C. Cal 1968]

“The fair hearing essential to meet minimal requirements of due process includes not only rudimentary fairness in conduct of hearing when and where held, but also reasonable fair opportunity to be present at time and place fixed to cross-examine any opposing witnesses, to offer evidence, and to be heard at least briefly in defense.” [Jeffries v. Olsen, D.C. Cal 1954, 121 Fsupp 163]

“A full hearing is one in which ample opportunity is afforded to all parties to make, by evidence and argument, a showing fairly adequate to establish the propriety or impropriety, from the standpoint of justice and law, of the step to be taken.” [Boston and M.R.R. v. U.S., D.C. Mass. 1962, 208 Fsupp 661]

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**I demanded a jury trial not some FRIVOLOUS decision by a LAWYER not elected by the PEOPLE of The United States.**

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**When Congress chooses to use an Article III court to apply coercive power, the court must apply the whole law, including the Constitution, independently.**

**Article III itself does guarantee a hearing in federal court.**

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**“Administrative due process requires:**

- (1) opportunity to be heard.**
- (2) due notice of hearing**
- (3) fair conduct of hearing**





**Point of Fact:**

**3. All defendants must apply Delaware State Law. Delaware Constitution**

**THE DUE PROCESS CLAUSE** The state is required to give all litigants the right to a hearing. I was denied, a voice to be heard.

**Point of Fact:**

**4. I was denied, a voice to be heard, according to The United States Judicial**

**Conference code of conduct CANON 3 Federal Judges shall perform the duties of their office impartially and diligently.**

**Judges should accord to every person who is legally interested in a proceeding, or that person's lawyer, full right to be heard according to the United States Constitution.**

**Point of Facts, Point of Laws**

**5. Through Discrimination, Bias, Prejudice, Cronyism's, Collusion, and Misprision, of Felony.**

**Discern the very first Federal Law they usurped was, TITLE 28 PART I CHAPTER 21**

**§ 455. Disqualification of justice, judge, or magistrate judge**

**Olga my wife filed original lawsuit 09/18/01**

**1:01-cv-00623-SLR D'Alessandro, et al v. LL Bean Incorporated, et al filed 09/18/01**

**Case: I was disabled beginning in Dec. 1989, on Social Security Disability.**

**Olga was the Head of Household and The sole Bread Winner of our Home we live by ourselves,**

**I filed in the same lawsuit for Loss Of Consortium, financially, sexually, and loss psychologically.**

**Judge Robinson dismissed me from case without a HEARING (nothing) no fact of law except her own Bias, and Prejudice.**

**Case: Then I filed a seperate lawsuit for Lost Of Consortium,**

**1:02-cv-00077-SLR Joseph D'Alessandro v. LL Bean Inc., et al filed 01/30/02**

**Guess who she assigned my case to HERSELF. You do not need to be a Rocket Scientist to figure out the results she dismissed it again.**

**NO HEARING NO VOICES TO BE HEARD. (Mis-Prison of Felony)**

**Then the Appeals Court denied my Appeal**

**TITLE 28 PART I CHAPTER 21 455 § 455. Disqualification of justice, judge, or magistrate judge**

**(a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.**

**(b) He shall also disqualify himself in the following circumstances:**

**(1) Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary**

**facts concerning the proceeding;**

**6. I HAD THE RIGHT TO A HEARING TO PRESENT PRIMA-FACIE EVIDENTS.  
(SUBSTANTIVE DUE PROCESS)**

**Point of fact:**

**Cannon v. Commission on Judicial Qualifications, (1975) 14 Cal. 3d 678, 694**

**Acts in excess of judicial authority constitutes misconduct, particularly where a judge deliberately disregards the requirements of fairness and due process.**

**Geiler v. Commission on Judicial Qualifications, (1973) 10 Cal.3d 270, 286**

**Society's commitment to institutional justice requires that judges be solicitous of the rights of persons who come before the court**

**Olmstad v. United States, (1928) 277 U.S. 438**

**"Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy."**

**Owen v. City of Independence**

**"The innocent individual who is harmed by an abuse of governmental authority is assured that he will be compensated for his injury."**

**This action is brought pursuant to**

**No Judge has judicial immunity when he/or she breaks the federal law and federal U.S.C.**

**And plaintiffs Civil Rights, U.S. Constitutional Rights, Civil Liberties, Legal Rights**

**Plantiffs where denied there United States Constitutional Rights**

**7. This action is brought pursuant to (A) Article III § 2 which extends the jurisdiction to cases arising under the U.S. Constitution. Pursuant to Title 28 U.S. Code § 1331, in claims arising from violations of federal constitutional rights guaranteed in the First, Fifth, Seventh (right to a jury trial) Ninth (right to exist and a jury trial), Fourteenth Amendment, (equal prtection according to law and The Erie Doctrune, and amendments to the U.S. Constitution and redressable pursuant to Bivens v. Six Unknown Narcotics Agents 403 U.S. 388 (1971))."**

**The United States Does not have sovereign immunity, the U.S. Attorneys' are frauding the Court.**

**Federal sovereign immunity is a defense to liability rather than a right to be free from trial.**

**The Supreme Court has ruled that in a case involving the government's sovereign immunity the statute in question must be strictly construed in favor of the sovereign and may not he enlarged beyond the waiver its language expressly requires. See United States v. Nordic Village, Inc., 503 U.S. 30, 33-35 (1992).**

**"Case Law" United States to this date has not waved sovereign immunity for claims for damages. See United States v. North Side Realty Associates 324 F. Supp. 287, 291 N. D. GA. 1971**

**Gallegos v. Haggerty, Norther District of New York 689 F. Supp. 93 Williamson v. U.S. Department of Agriculture, 815 F. 2d. 369, ACLU Foundation V. Barr 952 F. 2d. 457, 293 U.S. Ap. DC 101. (CA DC 1991)**

**United States v. Olmstead, 277 U.S. 438 (1928)**

**TITLE 28 U.S.C. SECTION 1331**

**TITLE 28 U.S.C. § 372(c)(1)**

**Bivens vs. b. Six unknown narcotics agents 403 U.S. 388(1971)**

**Young v. Pierce DCTEX. 544 F. Supp. 1010**

**Mackey v. Indiana Hospital DCPA 562 F. Supp. 1251**

**Rule 60. Relief from Judgment or Order (b) Mistakes; Inadvertence; Excusable Neglect;**

**Newly Discovered Evidence; Fraud, Etc.**

**I WAS DENIED MY AMENDMENTS BY THESE THUGS**

**(Mallowy v. Hogan, 378 U.S. 1**

**"All rights and safeguards contained in the first eight amendments to the federal Constitution are equally applicable.")**

**(B) Mrs. D'Alessandro was denied a appeal by the EQUAL EMPLOYMENT OPPERTUNITY COMMISSION on her employment charges. All defendants have ignored the Law, and plaintiffs civil and legal rights. Federal Adminstrative Procedure Act 5 U.S.C. 702. Right of review A person suffering legal wrong because of agency action, or adversely affected or aggrieved by agency action within the meaning of a relevant statute, is entitled to judicial review thereof and/or**

**CFR Title 29--Labor**

**(C) A summary:**

**The ADMINISTRATIVE PROCEDURES ACT**

**§ 556. Hearings; The provisions in Section II on eligibility to deal with specific cases shall also apply to civil law . (U. S. District Courts, 1789 ). ("quasi-statutory law") pursuant to Title 28 sec. 1331, and ADMINISTRATIVE PROCEDURES ACT § 556. Hearings;**

**Title 29--Labor CHAPTER XIV--EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PART 1601--PROCEDURAL REGULATIONS Failure to Amend & Failure to accept appeal from Plaintiff Mrs. Olga D'Alessandro Mrs. Tommasso Ignored Mrs. D'Alessandros' Civil Rights. Sec. 1601.12 Contents of charge; amendment of charge & 1601.76 Right of party to request review. The provisions in Section II on eligibility to deal with specific cases shall also apply to civil law.**

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defense.” [Jeffries v. Olsen, D.C. Cal 1954, 121 Fsupp 163]

“A full hearing is one in which ample opportunity is afforded to all parties to make, by evidence and argument, a showing fairly adequate to establish the propriety or impropriety, from the standpoint of justice and law, of the step to be taken.” [Boston and M.R.R. v. U.S., D.C. Mass. 1962, 208 Fsupp 661]

“Agencies have latitude to expedite hearings in the public interest and to dispense with evidentiary hearings in view of the nature of questions raised after a notice of action is requested, but an agency cannot act on mere inspection of a file without giving notice and opportunity to request a hearing, except in a narrow class of real emergency cases.” [Pennsylvania Gas & Water Co. v. Federal Power Commission, 427 F2d 568 1970, 138 U.S. App. D.C.]

“Under the Administrative Procedures Act, the proponent of a rule or order has the burden of proof. Burden of proof means going forward with the evidence.” [Bosma v. U.S. Dept. of Agriculture, C.A. 9, 1984, 754 F2d 804]

**§ 556. Hearings; presiding employees; powers and duties; burden of proof; evidence; record as basis of decision. And the defendants violated Federal Law as per The United States Federal Statues and State Statues. (D) All defendants (THUGS IN BLACK ROBES) have USURPED Plaintiffs United States Constitution, Civil and Civil Libertie Rights, and Bill of Rights, and Legal Rights. ALL DEFENDANTS ARE CHARGED WITH THE FOLLOWING FEDERAL LAW.**

**Mis-Prison of Felony.**

**18 USC Sec. 241 Conspiracy against rights.**

**18 USC Sec. 242 Deprivation of rights under color of law.**

**18 USC Sec. 1968 CIVIL INVESTIGATIVE DEMAND.**

**(E) If a judge does not fully comply with the Constitution, then his orders are void, In re Sawyer, 124 U.S. 200 (1888), he/she is without jurisdiction, and he/she has engaged in an act or acts of treason. When a judge acts as a trespasser of the law, when a judge does not follow the law, the judge loses subject- matter jurisdiction and the judges orders are void, of no legal force or effect.**

**(E) A summary:**

**Legal abuses are invisible to the average citizen, are found readily in Legal Abuse Syndrome victims' assaults and lance the heart of a healthy society. Justice substantially**

**validates the worth of the citizen and reaffirms his positive social identity. More and more, crime is being recognized as a major health problem. In a climate where it is predicted that every citizen will be a victim of violent or nonviolent crime at some point in his life, the future will be teeming with psycholegal issues. Four attitudes need to be adopted by the community of American citizens to insure healing from Legal Abuse Syndrome.**

#### **Abuse of Power**

**Oppression and abuse of power are injurious to the health of victims. Domination by abusers of bureaucratic power threatens the very functionality of the public and private sectors in our country. (Beguai).**

#### **Victims and Volunteers**

**Victims are not self-interested, narcissistic folks who sit around and wallow in their losses. They are courageous individuals who face their pain and care to right the wrongs. They participate in the collision of evil and good as it is classically intended in order to achieve balance. Denial is popular, but far less responsible.**

#### **Lying Judges, Prosecutors and Public Officials**

**Trust is a social staple that must be protected just as earth and water be protected to provide for survival. When trust is damaged, the community suffers and society as a whole will eventually falter and collapse (Bok). Veterans of crime must exude zero tolerance for lying in courtrooms, lying in political campaigns, lying to cover-up, and deceptions through omittance and non performance by public officials and public servants.**

#### **Oath of Office**

**An oath is a person's word to faithfully serve. United States Code, Title 18 Sec. 1621 states: Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury and shall be fined no more than \$2,000.00 or imprisoned not more than five years or both.**

**Oaths add that touch of personal responsibility that requires a public promise to execute a job according to the law and in**

good faith. Each case of Legal Abuse Syndrome is a result of a violation of sworn duty. Oaths are usually required to be taken and then are kept on file. They seem to have become a forgotten formality in the course of public service.

**(F) PLANTIFFS POINT OF AUTHORITY:**

**STARE DECISIS** - to stand by that which is decided." The principal that the precedent decisions are to be followed by the courts.

**CONSTITUTIONAL RIGHTS:**

**United States v. Classic, 313 U.S. 299, 326 (1941)**

the wrongdoer is clothed with the authority of state law, is action taken 'under color of' state law."

**Boyd v. United, 116 U.S. 616 at 635 (1885)**

Justice Bradley, "It may be that it is the obnoxious thing in its mildest form; but illegitimate and unconstitutional practices get their first footing in that way; namely, by silent approaches and slight deviations from legal modes of procedure. This can only be obviated by adhering to the rule that constitutional provisions for the security of persons and property should be liberally construed. A close and literal construction deprives them of half their efficacy, and leads to gradual depreciation of the right, as if it consisted more in sound than in substance. It is the duty of the Courts to be watchful for the Constitutional Rights of the Citizens, and against any stealthy encroachments thereon. Their motto should be *Obsta Principiis*."

**Downs v. Bidwell, 182 U.S. 244 (1901)**

It will be an evil day for American Liberty if the theory of a government outside supreme law finds lodgement in our constitutional jurisprudence. No higher duty rests upon this Court than to exert its full authority to prevent all violations of the principles of the Constitution."

**Gomillion v. Lightfoot, 364 U.S. 155 (1966), cited also in Smith v. Allwright, 321 U.S. 649.644**

"Constitutional 'rights' would be of little value if they could be indirectly denied."

**Juliard v. Greeman, 110 U.S. 421 (1884)**

Supreme Court Justice Field, "There is no such thing as a power of inherent sovereignty in the government of the United States... In this country, sovereignty resides in the people, and Congress can exercise power which they have not, by their Constitution, entrusted to it. All else is withheld."

**Mallowy v. Hogan, 378 U.S. 1**

All rights and safeguards contained in the first eight amendments to the federal Constitution are equally applicable."

**Miranda v. Arizona, 384 U.S. 426, 491; 86 S. Ct. 1603**

Where rights secured by the Constitution are involved, there can be no 'rule making' or legislation which would abrogate them."

**Norton v. Shelby County, 118 U.S. 425 p. 442**

An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed."

**Perez v. Brownell, 356 U.S. 44, 7; 8 S. Ct. 568, 2 L. Ed. 2d 603 (1958)**

in our country the people are sovereign and the government cannot sever its relationship to them by taking away their citizenship."

**Sherar v. Cullen, 481 F. 2d 946 (1973)**

There can be no sanction or penalty imposed upon one because of his exercise of constitutional rights."

**Simmons v. United States, 390 U.S. 377 (1968)**

The claim and exercise of a Constitution right cannot be converted into a crime"... "a denial of



them would be a denial of due process of law".

Warnock v. Pecos County, Texas, 88 F3d 341 (5th Cir. 1996)

Eleventh Amendment does not protect state officials from claims for prospective relief when it is alleged that state officials acted in violation of federal law.

#### **CORRUPTION OF AUTHORITY:**

Burton v. United States, 202 U.S. 344, 26 S. Ct. 688 50 L.Ed 1057

United States Senator convicted of, among other things, bribery.

Cannon v. Commission on Judicial Qualifications, (1975) 14 Cal. 3d 678, 694

Acts in excess of judicial authority constitutes misconduct, particularly where a judge deliberately disregards the requirements of fairness and due process.

Geiler v. Commission on Judicial Qualifications, (1973) 10 Cal.3d 270, 286

Society's commitment to institutional justice requires that judges be solicitous of the rights of persons who come before the court.

Gonzalez v. Commission on Judicial Performance, (1983) 33 Cal. 3d 359, 371, 374

Acts in excess of judicial authority constitutes misconduct, particularly where a judge deliberately disregards the requirements of fairness and due process.

Olmstad v. United States, (1928) 277 U.S. 438

Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy."

Owen v. City of Independence

The innocent individual who is harmed by an abuse of governmental authority is assured that he will be compensated for his injury."

Perry v. United States, 204 U.S. 330, 358

I do not understand the government to contend that it is any less bound by the obligation than a private individual would be..." "It is not the function of our government to keep the citizen from falling into error; it is the function of the citizen to keep the government from falling into error."

Ryan v. Commission on Judicial Performance, (1988) 45 Cal. 3d 518, 533

Before sending a person to jail for contempt or imposing a fine, judges are required to provide due process of law, including strict adherence to the procedural requirements contained in the Code of Civil Procedure. Ignorance of these procedures is not a mitigating but an aggravating factor.

U.S. v. Lee, 106 U.S. 196, 220 1 S. Ct. 240, 261, 27 L. Ed 171 (1882)

No man in this country is so high that he is above the law. No officer of the law may set that law at defiance, with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law and are bound to obey it."

It is the only supreme power in our system of government, and every man who, by accepting office participates in its functions, is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes on the exercise of the authority which it gives."

Warnock v. Pecos County, Texas, 88 F3d 341 (5th Cir. 1996)

Eleventh Amendment does not protect state officials from claims for prospective relief when it is alleged that state officials acted in violation of federal law.

#### **DISMISSAL OF SUIT:**

It can be argued that to dismiss a civil rights action or other lawsuit in which a serious factual pattern or allegation of a cause of action has been made would itself be violating of procedural due process as it would deprive a pro se litigant of equal protection of the law vis a vis a party who is represented by counsel.

Also, see Federal Rules of Civil Procedure, Rule 60 - Relief from Judgment or Order (a) Clerical Mistakes and (b) Mistakes; Inadvertence; Excusable Neglect; Newly Discovered Evidence; Fraud, etc.



**Warnock v. Pecos County, Texas, 88 F3d 341 (5th Cir. 1996)**

Eleventh Amendment does not protect state officials from claims for prospective relief when it is alleged that state officials acted in violation of federal law.

**Walter Process Equipment v. Food Machinery, 382 U.S. 172 (1965)**

in a "motion to dismiss, the material allegations of the complaint are taken as admitted". From this vantage point, courts are reluctant to dismiss complaints unless it appears the plaintiff can prove no set of facts in support of his claim which would entitle him to relief (see Conley v. Gibson, 355 U.S. 41 (1957)).

**EQUAL PROTECTION UNDER THE LAW****Cochran v. Kansas, 316 U.S. 255, 257-258 (1942)**

However inept Cochran's choice of words, he has set out allegations supported by affidavits, and nowhere denied, that Kansas refused him privileges of appeal which it afforded to others. \*\*\* The State properly concedes that if the alleged facts pertaining to the suppression of Cochran's appeal were disclosed as being true, ... there would be no question but that there was a violation of the equal protection clause of the Fourteenth Amendment."

**Duncan v. Missouri, 152 U.S. 377, 382 (1894)**

Due process of law and the equal protection of the laws are secured if the laws operate on all alike, and do not subject the individual to an arbitrary exercise of the powers of government."

**Giozza v. Tiernan, 148 U.S. 657, 662 (1893), Citations Omitted**

Undoubtedly it (the Fourteenth Amendment) forbids any arbitrary deprivation of life, liberty or property, and secures equal protection to all under like circumstances in the enjoyment of their rights... It is enough that there is no discrimination in favor of one as against another of the same class. ...And due process of law within the meaning of the [Fifth and Fourteenth] amendment is secured if the laws operate on all alike, and do not subject the individual to an arbitrary exercise of the powers of government."

**Kentucky Railroad Tax Cases, 115 U.S. 321, 337 (1885)**

The rule of equality... requires the same means and methods to be applied impartially to all the constituents of each class, so that the law shall operate equally and uniformly upon all persons in similar circumstances".

**Truax v. Corrigan, 257 U.S. 312, 332**

Our whole system of law is predicated on the general fundamental principle of equality of application to the law. 'All men are equal before the law,' 'This is a government of laws and not of men,' 'No man is above the law,' are all maxims showing the spirit in which legislatures, executives, and courts are expected to make, execute and apply laws. But the framers and adopters of the (Fourteenth) Amendment were not content to depend... upon the spirit of equality which might not be insisted on by local public opinion. They therefore embodied that spirit in a specific guaranty."

**JUDICIAL IMMUNITY:**

Judges have given themselves judicial immunity for their judicial functions. Judges have no judicial immunity for criminal acts, aiding, assisting, or conniving with others who perform a criminal act or for their administrative/ministerial duties, or for violating a citizen's constitutional rights. When a judge has a duty to act, he does not have discretion - he is then not performing a judicial act; he is performing a ministerial act. Nowhere was the judiciary given immunity, particularly nowhere in Article III; under our Constitution, if judges were to have immunity, it could only possibly be granted by amendment (and even less possibly by legislative act), as Art. I, Sections 9 & 10, respectively, in fact expressly prohibit such, stating, "No Title of Nobility shall be granted by the United States" and "No state shall... grant any Title of Nobility." Most of us are certain that Congress itself doesn't understand the inherent lack of immunity for judges.

Article III, Sec. 1, "The Judicial Power of the United States shall be vested in one supreme court, and in such inferior courts, shall hold their offices during good behavior."

Tort & Insurance Law Journal, Spring 1986 21 n3, p 509-516, "Federal tort law: judges cannot invoke judicial immunity for acts that violate litigants' civil rights." - Robert Craig Waters.

**Ableman v. Booth, 21 Howard 506 (1859)**

No judicial process, whatever form it may assume, can have any lawful authority outside of the limits of the jurisdiction of the court or judge by whom it is issued; and an attempt to enforce it beyond these boundaries is nothing less than lawless violence."

**Chandler v. Judicial Council of the 10th Circuit, 398 U.S. 74, 90 S. Ct. 1648, 26 L. Ed. 2d 100**

Justice Douglas, in his dissenting opinion at page 140 said, "If (federal judges) break the law, they can be prosecuted." Justice Black, in his dissenting opinion at page 141) said, "Judges, like other people, can be tried, convicted and punished for crimes... The judicial power shall extend to all cases, in law and equity, arising under this Constitution".

**Cooper v. Aaron, 358 U.S. 1, 78 S. Ct. 1401 (1958)**

Note: Any judge who does not comply with his oath to the Constitution of the United States wars against that Constitution and engages in acts in violation of the supreme law of the land. The judge is engaged in acts of treason.

The U.S. Supreme Court has stated that "no state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it". See also In Re Sawyer, 124 U.S. 200 (188); U.S. v. Will, 449 U.S. 200, 216, 101 S. Ct. 471, 66 L. Ed. 2d 392, 406 (1980); Cohens v. Virginia, 19 U.S. (6 Wheat) 264, 404, 5 L. Ed 257 (1821).

**Cooper v. O'Conner, 99 F.2d 133**

There is a general rule that a ministerial officer who acts wrongfully, although in good faith, is nevertheless liable in a civil action and cannot claim the immunity of the sovereign.

**Davis v. Burris, 51 Ariz. 220, 75 P.2d 689 (1938)**

A judge must be acting within his jurisdiction as to subject matter and person, to be entitled to immunity from civil action for his acts.

**Forrester v. White, 484 U.S. at 227-229, 108 S. Ct. at 544-545 (1987); Westfall v. Erwin, 108 S. Ct. 580 (1987); United States v. Lanier (March 1997)**

Constitutionally and in fact of law and judicial rulings, state-federal "magistrates-judges" or any government actors, state or federal, may now be held liable, if they violate any Citizen's Constitutional rights, privileges, or immunities, or guarantees; including statutory civil rights.

A judge is not immune for tortious acts committed in a purely Administrative, non-judicial capacity.

**Gregory v. Thompson, F.2d 59 (C.A. Ariz. 1974)**

Generally, judges are immune from suit for judicial acts within or in excess of their jurisdiction even if those acts have been done maliciously or corruptly; the only exception being for acts done in the clear absence of all jurisdiction.

**Hoffsommer v. Hayes, 92 Okla 32, 227 F. 417**

The courts are not bound by an officer's interpretation of the law under which he presumes to act."

**Marbury v. Madison, 5 U.S. (2 Cranch) 137, 180 (1803)**

the particular phraseology of the constitution of the United States confirms and strengthens the principle, supposed to be essential to all written constitutions, that a law repugnant to the constitution is void, and that courts, as well as other departments, are bound by that instrument." In declaring what shall be the supreme law of the land, the Constitution itself is first mentioned; and not the laws of the United States generally, but those only which shall be made in pursuance of the Constitution, have that rank".



**All law (rules and practices) which are repugnant to the Constitution are VOID".**

Since the 14th Amendment to the Constitution states "NO State (Jurisdiction) shall make or enforce any law which shall abridge the rights, privileges, or immunities of citizens of the United States nor deprive any citizens of life, liberty, or property, without due process of law, ... or equal protection under the law", this renders judicial immunity unconstitutional.

Piper v. Pearson, 2 Gray 120, cited in Bradley v. Fisher, 13 Wall. 335, 20 L.Ed. 646 (1872)

Where there is no jurisdiction, there can be no discretion, for discretion is incident to jurisdiction."

Pulliam v. Allen, 466 U.S. 522 (1984); 104 S. Ct. 1781, 1980, 1981, and 1985

In 1996, Congress passed a law to overcome this ruling which stated that judicial immunity doesn't exist; citizens can sue judges for prospective injunctive relief.

Our own experience is fully consistent with the common law's rejection of a rule of judicial immunity. We never have had a rule of absolute judicial immunity. At least seven circuits have indicated affirmatively that there is no immunity... to prevent irreparable injury to a citizen's constitutional rights..."

Subsequent interpretations of the Civil Rights Act by this Court acknowledge Congress' intent to reach unconstitutional actions by all state and federal actors, including judges... The Fourteenth Amendment prohibits a state [federal] from denying any person [citizen] within its jurisdiction the equal protection under the laws. Since a State [or federal] acts only by its legislative, executive or judicial authorities, the constitutional provisions must be addressed to those authorities, including state and federal judges..."

We conclude that judicial immunity is not a bar to relief against a judicial officer acting in her [his] judicial capacity."

Mireles v. Waco, 112 S. Ct. 286 at 288 (1991)

A judge is not immune for tortious acts committed in a purely Administrative, non-judicial capacity; however, even in a case involving a particular attorney not assigned to him, he may reach out into the hallway, having his deputy use "excessive force" to haul the attorney into the courtroom for chastisement or even incarceration. A Superior Court Judge is broadly vested with "general jurisdiction." Provided the judge is not divested of all jurisdiction, he may have his actions excused as per this poor finding.

Scheuer v. Rhodes, 416 U.S. 232, 94 S. Ct. 1683, 1687 (1974)

Note: By law, a judge is a state officer. The judge then acts not as a judge, but as a private individual (in his person). When a judge acts as a trespasser of the law, when a judge does not follow the law, the Judge loses subject-matter jurisdiction and the judges' orders are not voidable, but VOID, and of no legal force or effect.

The U.S. Supreme Court stated that "when a state officer acts under a state law in a manner violative of the Federal Constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States."

Stump v. Sparkman, id., 435 U.S. 349

Some Defendants urge that any act "of a judicial nature" entitles the Judge to absolute judicial immunity. But in a jurisdictional vacuum (that is, absence of all jurisdiction) the second prong necessary to absolute judicial immunity is missing.

A judge is not immune for tortious acts committed in a purely Administrative, non-judicial capacity.

Rankin v. Howard, 633 F.2d 844 (1980)

The Ninth Circuit Court of Appeals reversed an Arizona District Court dismissal based upon absolute judicial immunity, finding that both necessary immunity prongs were absent; later, in Ashelman v. Pope, 793 F.2d 1072 (1986), the Ninth Circuit, en banc, criticized the "judicial nature" analysis it had published in Rankin as unnecessarily restrictive. But Rankin's ultimate

result was not changed, because Judge Howard had been independently divested of absolute judicial immunity by his complete lack of jurisdiction.

U.S. Fidelity & Guaranty Co. (State use of), 217 Miss. 576, 64 So. 2d 697

When a judicial officer acts entirely without jurisdiction or without compliance with jurisdiction requisites he may be held civilly liable for abuse of process even though his act involved a decision made in good faith, that he had jurisdiction.

U.S. v. Lee, 106 U.S. 196, 220 1 S. Ct. 240, 261, 27 L. Ed 171 (1882)

No man in this country is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law and are bound to obey it."

It is the only supreme power in our system of government, and every man who, by accepting office participates in its functions, is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes on the exercise of the authority which it gives."

Zeller v. Rankin, 101 S.Ct. 2020, 451 U.S. 939, 68 L.Ed 2d 326

When a judge knows that he lacks jurisdiction, or acts in the face of clearly valid statutes expressly depriving him of jurisdiction, judicial immunity is lost.

#### **PRO SE RIGHTS:**

Brotherhood of Trainmen v. Virginia ex rel. Virginia State Bar, 377 U.S. 1; v. Wainwright, 372 U.S. 335; Argersinger v. Hamlin, Sheriff 407 U.S. 425

Litigants can be assisted by unlicensed laymen during judicial proceedings.

Conley v. Gibson, 355 U.S. 41 at 48 (1957)

Following the simple guide of rule 8(f) that all pleadings shall be so construed as to do substantial justice"... "The federal rules reject the approach that pleading is a game of skill in which one misstep by counsel may be decisive to the outcome and accept the principle that the purpose of pleading is to facilitate a proper decision on the merits." The court also cited Rule 8(f) FRCP, which holds that all pleadings shall be construed to do substantial justice.

Davis v. Wechler, 263 U.S. 22, 24; Stromberg v. California, 283 U.S. 359; NAACP v. Alabama, 375 U.S. 449 "The assertion of federal rights, when plainly and reasonably made, are not to be defeated Under the name of local practice."

Elmore v. McCammon (1986) 640 F. Supp. 905

the right to file a lawsuit pro se is one of the most important rights under the constitution and laws."

Federal Rules of Civil Procedures, Rule 17, 28 USCA "Next Friend"

A next friend is a person who represents someone who is unable to tend to his or her own interest.

Haines v. Kerner, 404 U.S. 519 (1972)

Allegations such as those asserted by petitioner, however inartfully pleaded, are sufficient"... which we hold to less stringent standards than formal pleadings drafted by lawyers."

Jenkins v. McKeithen, 395 U.S. 411, 421 (1959); Picking v. Pennsylvania R. Co., 151 Fed 2nd 240;

Pucket v. Cox, 456 2nd 233

Pro se pleadings are to be considered without regard to technicality; pro se litigants' pleadings are not to be held to the same high standards of perfection as lawyers.

Maty v. Grasselli Chemical Co., 303 U.S. 197 (1938)

Pleadings are intended to serve as a means of arriving at fair and just settlements of controversies between litigants. They should not raise barriers which prevent the achievement of that end.

Proper pleading is important, but its importance consists in its effectiveness as a means to accomplish the end of a just judgment."

NAACP v. Button, 371 U.S. 415; United Mineworkers of America v. Gibbs, 383 U.S. 715; and Johnson v. Avery, 89 S. Ct. 747 (1969)



**Members of groups who are competent nonlawyers can assist other members of the group achieve the goals of the group in court without being charged with "unauthorized practice of law."**

**Picking v. Pennsylvania Railway, 151 F.2d. 240, Third Circuit Court of Appeals**

**The plaintiff's civil rights pleading was 150 pages and described by a federal judge as "inept". Nevertheless, it was held "Where a plaintiff pleads pro se in a suit for protection of civil rights, the Court should endeavor to construe Plaintiff's Pleadings without regard to technicalities."**

**Puckett v. Cox, 456 F. 2d 233 (1972) (6th Cir. USCA)**

**It was held that a pro se complaint requires a less stringent reading than one drafted by a lawyer per Justice Black in Conley v. Gibson (see case listed above, Pro Se Rights Section).**

**Roadway Express v. Pipe, 447 U.S. 752 at 757 (1982)**

**Due to sloth, inattention or desire to seize tactical advantage, lawyers have long engaged in dilatory practices... the glacial pace of much litigation breeds frustration with the Federal Courts and ultimately, disrespect for the law."**

**Sherar v. Cullen, 481 F. 2d 946 (1973)**

**There can be no sanction or penalty imposed upon one because of his exercise of Constitutional Rights."**

**Schware v. Board of Examiners, United State Reports 353 U.S. pages 238, 239.**

**The practice of law cannot be licensed by any state/State."**

**The UNITED STATES SUPREME COURT Schware Doctrine.**

**Schware v. Board of Examiners, United State Reports 353 U.S.**

**"The practice of law cannot be licensed by any body of men united by profession, or constituting a community of a particular character and/or Union State, the supreme public power within a sovereign political entity.**

**Sims v. Aherns, 271 SW 720 (1925)**

**The practice of law is an occupation of common right."**

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## **CIRCUIT COURT A CRIMINAL ENTERPRISE**

**The Seventh Circuit Court of Appeals held that the Circuit Court of Cook County is a criminal enterprise. U.S. v. Murphy, 768 F.2d 1518, 1531 (7th Cir. 1985).**

**The United States Supreme Court recently acknowledged the judicial corruption in Cook County, when it stated that Judge "Maloney was one of many dishonest judges exposed and convicted through 'Operation Greylord', a labyrinthine federal investigation of judicial corruption in Chicago". Bracey v. Gramley, 519 U.S. 1074, 117 S.Ct. 726 (1997).**

**Since judges who do not report the criminal activities of other judges become principals in the criminal activity, 18 U.S.C. Section 2, 3 & 4, and since no judges have reported the criminal activity of the judges who have been convicted, the other judges are as guilty as the convicted judges.**

**The criminal activities that the Federal Courts found in the Circuit Court of Cook County still exist, and are today under the care, custody and control of Judge Greylord II (Chief Judge Donald O'Connell). The Circuit Court of Cook County remains a criminal enterprise.**

## **JUDICIAL IMMUNITY**

**Judges have given themselves judicial immunity for their judicial functions. Judges have no judicial immunity for criminal acts, aiding, assisting, or conniving with others who perform a criminal act, or for**

**their administrative/**

**ministerial duties. When a judge has a duty to act, he does not have discretion - he is then not performing a judicial act, he is performing a ministerial act.**

**Judicial immunity does not exist for judges who engage in criminal activity, for judges who connive with, aid and abet the criminal activity of another judge, or to a judge for damages sustained by a person who has been harmed by the judge's connivance with, aiding and abetting, another judge's criminal activity.**

### **TRESPASSERS OF THE LAW**

**The Illinois Supreme Court has held that "if the magistrate has not such jurisdiction, then he and those who advise and act with him, or execute his process, are trespassers." Von Kettler et.al. v. Johnson, 57 Ill. 109 (1870)**

**Under Federal law which is applicable to all states, the U.S. Supreme Court stated that if a court is "without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void; and form no bar to a recovery sought, even prior to a reversal in opposition to them. They constitute no justification; and all persons concerned in executing such judgments or sentences, are considered, in law, as trespassers." Elliot v. Piersol, 1 Pet. 328, 340, 26 U.S. 328, 340 (1828)**

**The Illinois Supreme Court held that if a court "could not hear the matter upon the jurisdictional paper presented, its finding that it had the power can add nothing to its authority, - it had no authority to make that finding." The People v. Brewer, 128 Ill. 472, 483 (1928). The judges listed below had no legal authority (jurisdiction) to hear or rule on certain matters before them. They acted without any jurisdiction.**

**When judges act when they do not have jurisdiction to act, or they enforce a void order (an order issued by a judge without jurisdiction), they become trespassers of the law, and are engaged in treason (see below).**

**The Court in Yates v. Village of Hoffman Estates, Illinois, 209 F.Supp. 757 (N.D. Ill. 1962) held that "not every action by a judge is in exercise of his judicial function. ... it is not a judicial function for a judge to commit an intentional tort even though the tort occurs in the courthouse."**

**When a judge acts as a trespasser of the law, when a judge does not follow the law, the judge loses subject-matter jurisdiction and the judges orders are void, of no legal force or effect.**

**The U.S. Supreme Court, in Scheuer v. Rhodes, 416 U.S. 232, 94 S.Ct. 1683, 1687 (1974) stated that "when a state officer acts under a state law in a manner violative of the Federal Constitution, he "comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States." [Emphasis supplied in original].**

**By law, a judge is a state officer.**

**The judge then acts not as a judge, but as a private individual (in his person).**

### **VIOLATION OF OATH OF OFFICE**

In Illinois, 705 ILCS 205/4 states "Every person admitted to practice as an attorney and counselor at law shall, before his name is entered upon the roll to be kept as hereinafter provided, take and subscribe an oath, substantially in the following form:

'I do solemnly swear (or affirm, as the case may be), that I will support the constitution of the United States and the constitution of the state of Illinois, and that I will faithfully discharge the duties of the office of attorney and counselor at law to the best of my ability.'"

In Illinois, a judge must take a second oath of office. Under 705 ILCS 35/2 states, in part, that "The several judges of the circuit courts of this State, before entering upon the duties of their office, shall take and subscribe the following oath or affirmation, which shall be filed in the office of the Secretary of State:

'I do solemnly swear (or affirm, as the case may be) that I will support the constitution of the United States, and the constitution of the State of Illinois, and that I will faithfully discharge the duties of judge of \_\_\_\_\_ court, according to the best of my ability.'"

Further, if the judge had enlisted in the U.S. military, then he has taken a third oath. Under Title 10 U.S.C. Section 502 the judge had subscribed to a lifetime oath, in pertinent part, as follows: "I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign or domestic; that I will bear true faith and allegiance to the same; ...".

The U.S. Supreme Court has stated that "No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it.". *Cooper v. Aaron*, 358 U.S. 1, 78 S.Ct. 1401 (1958).

Any judge who does not comply with his oath to the Constitution of the United States wars against that Constitution and engages in acts in violation of the Supreme Law of the Land. The judge is engaged in acts of treason.

Having taken at least two, if not three, oaths of office to support the Constitution of the United States, and the Constitution of the State of Illinois, any judge who has acted in violation of the Constitution is engaged in an act or acts of treason (see below).

If a judge does not fully comply with the Constitution, then his orders are void, *In re Sawyer*, 124 U.S. 200 (1888), he/she is without jurisdiction, and he/she has engaged in an act or acts of treason.

### **TREASON**

Whenever a judge acts where he/she does not have jurisdiction to act, the judge is engaged in an act or acts of treason. *U.S. v. Will*, 449 U.S. 200, 216, 101 S.Ct. 471, 66 L.Ed.2d 392, 406 (1980); *Cohens v. Virginia*, 19 U.S. (6 Wheat) 264, 404, 5 L.Ed 257 (1821)

### **What is the penalty for treason?**

These Thugs have acted without jurisdiction and therefore have engaged in an act or acts of treason:

Judge Philip L. Bronstein  
Justice Robert Chapman Buckley  
Judge Grace G. Dickler



Judge Thomas C. Dudgeon (DuPage County)  
Presiding Judge Timothy C. Evans  
Judge Lester D. Foreman  
Chief Judge Michael Galasso (DuPage County)  
Justice Michael J. Gallagher  
Judge Francis A. Gembala  
Justice Thomas E. Hoffman  
Judge Moshe Jacobius  
Judge Thomas James  
Judge Aubrey F. Kaplan  
Judge Philip S. Lieb  
Judge Veronica B. Mathein  
Justice Sheila M. O'Brien  
Chief Judge Donald O'Connell (Cook County)  
Judge Edmund Ponce de Leon  
Judge Daniel J. Sullivan  
Justice Mary Jane Theis  
Judge William F. Ward, Jr.

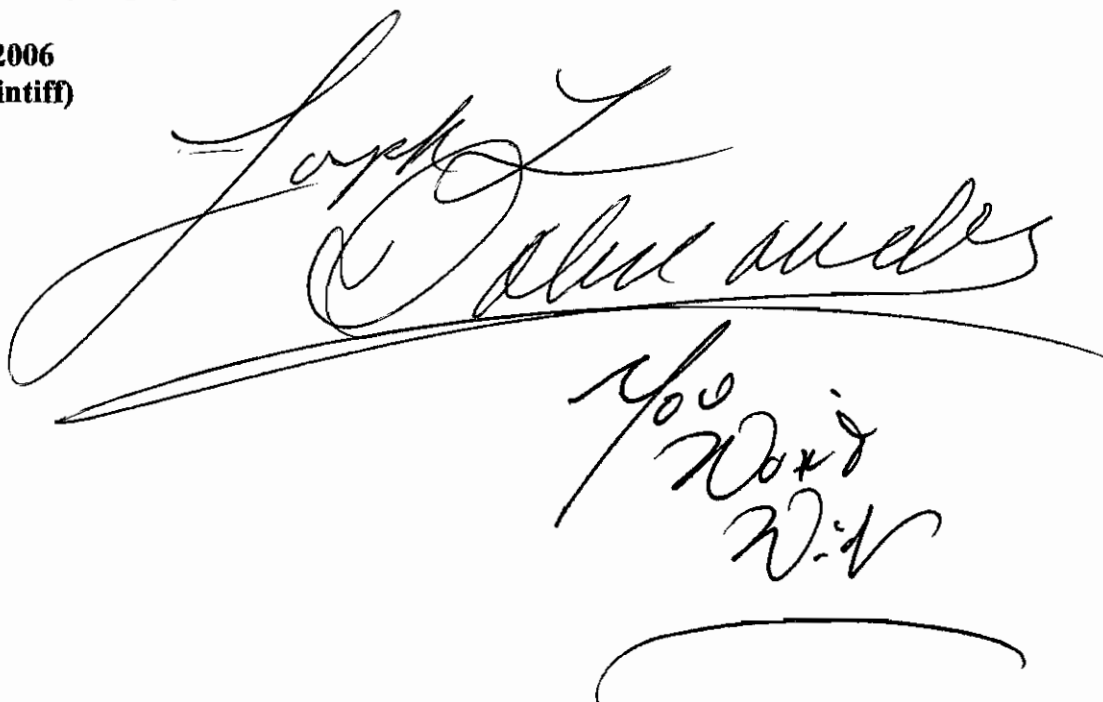
Any judge or attorney who does not report the above judges for treason as required by law may themselves be guilty of misprision of treason, 18 U.S.C. Section 2382.

(G) Plaintiff prays for the following relief:

Treble and Punitive Damages.

I declare under penalty of perjury that the foregoing is true and correct.

Friday, 12 May, 2006  
(Signature of Plaintiff)



plus much  
No War  
W.V.



**Rep. Sensenbrenner  
Chair Judiciary Committee  
2138 Rayburn House Office Building  
Washington, DC 20515**

**Senator Arlen Specter (R-PA)  
Chair Senate Judiciary Committee  
Washington Office SH-711  
Washington, D.C. 20510-3802**

**Elena Ruth Sassower  
Center for Judicial Accountability, Inc.  
Post Office Box 8220  
White Plains, New York 10602**

**FIRSTAMENDMENT**

**Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.**

**Congress also may not keep people from asking the government for relief from unfair treatment. The Supreme Court has interpreted the 14th Amendment as applying the First Amendment to the states as well as to the federal government.**

**Discern:**

**In original lawsuit filed by Olga it was verified under Oath Joseph D'Alessandro was disabled and on Social Security Disability. Mrs. Olga D'Alessandro was the Bread Winner and paid all bills etceteras.**

**I had the 9th. and 14th. Amendment Right to file for Loss Consortium, for Sex, Physical, and Financial Dismissing me from a Lawsuit was not a [Bad Decision] it was TREASON TO OUR UNITED STATES CONSTITUTION. Our Family is RUINED Olga still under the care of Psychiatrist has appointment today ay 12:00 PM**

**EXIT this to that phony lawyer not elected by the people who wears a black robe.**

**This Law Suit being filed today**

**A PHONY JUDGE CANNOT DISMISS A LITIGANT WITHOUT A HEARING FIRST. [A VOICE TO BE HEARD]**

**Page 1**

**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**Mr. Joseph D'Alessandro  
23136 Angola Estates Lewes, Delaware 19958  
302 945 1554 Mr. Joseph D'Alessandro (Pro Se)**

**Plaintiff**

**Civil Docket No.  
VERIFIED COMPLAINT DEMAND A JURY TRIAL (seventh amendment)**

**v.**

**UNITED STATES OF AMERICA**  
**(through the federal judicial courts)**  
**and**  
**Judge Kent A. Jordan in his official capacity as a Federal Judge**  
**and**  
**in His individual capacity.**

**Defendant**

**Unconstitutional infringement by a phony lawyer not elected by the people**

**who wears a black robe who is usurping by Civil Rights, Civil Liberties,**

**First, Fifth, Ninth, Seventh, and Fourteenth Amendments.**

**by this Unconstitutional Order.**

**[I] 05/12/2006 5 ORDER TO SHOW CAUSE: Plaintiff Joseph D'Alessandro shall show cause, in writing, by 6/6/2006, why he should not be enjoined from filing without prior authorization from the Court. Signed by Judge Kent A. Jordan on 5/12/06. (rwc, ) (Entered: 05/12/2006)**

**[II] Plaintiff files this suit under His United States Constitution.**

**As follows.**

**[III] This action is brought pursuant to (A) Article III § 2 which extends the jurisdiction**

**to cases arising under the U.S. Constitution. Pursuant to Title 28 U.S. Code § 1331, in claims**

**arising from violations of federal constitutional rights guaranteed in the First, Fifth, Seventh**

**(right to a jury trial) Ninth (right to exist and a jury trial), Fourteenth Amendment,**

**(equal protection according to law and The Erie Doctrune, and amendments to the U.S. Constitution**

**and redressable pursuant to Bivens v. Six Unknown Narcotics Agents 403 U.S. 388 (1971)."**

**[IV] If a judge does not fully comply with the Constitution, then his orders are void, In re Sawyer, 124 U.S. 200 (1888), he/she is without jurisdiction, and he/she has engaged in an act or acts of treason.**

**TREASON**

**Whenever a judge acts where he/she does not have jurisdiction to act, the judge is engaged in an act or acts of treason. U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471, 66 L.Ed.2d 392, 406 (1980); Cohens v. Virginia, 19 U.S. (6 Wheat) 264, 404, 5 L.Ed 257 (1821)2**

**Fed.R.Civ.P. 8(f) reads: "All pleadings shall be so construed as to do substantial justice."**

**(G) Plaintiff prays for the following relief:**

**Treble and Punitive Damages.**

**I declare under penalty of perjury that the foregoing is true and correct.**

**Wednesday, May 17, 2006**  
**(Signature of Plaintiff)**

A large, stylized handwritten signature in black ink, appearing to read "Joseph D'Alessandro", is written over the signature line.

**Monday, May 15, 2006**

**Rep. Sensenbrenner**  
**Chair Judiciary Committee**  
**2138 Rayburn House Office Building**  
**Washington, DC 20515**

**Senator Arlen Specter (R-PA)**  
**Chair Senate Judiciary Committee**  
**Washington Office SH-711**  
**Washington, D.C. 20510-3802**

**FEDERAL LAW PERTAINING TO TEMPORARY AND PERMANENT INJUNCTIONS**  
**Title 18 U.S.C. § 4 (misprision of felony).**

**[I WILL BE ANOTHER "Elena Ruth Sassower] AND I AM  
DISABLED**

**Pattern Of Civil Rights Violations Perpetrated By PHONY LAWYERS**  
**IN BLACK ROBES Federal Judges**  
**Against Mr. and Mrs. D'Alessandro These Ass Holes destroyed a FAMILY.**

**I have Legal Documents from past SEVERAL YEARS to U.S. Congress and Senators Biden, Carper,**  
**and All Judiciary Committees numerous times and Congressman and Senators requesting a HEARING**  
**on The Third Circuit CRIMINALS. U.S. Congress answer was NO RESPONSE.**

**I am now FORCED TO MAKE A TRIP TO WASHINGTON D.C.**

**LISTEN YOU BUM I WILL DRAW ATTENTION WORLDWIDE TO YOU**  
**CRIMINALS.**

**[I WILL BE ANOTHER "Elena Ruth Sassower] AND I AM  
DISABLED**

**ALL I WANTED WAS A VOICE TO BE HEARD ACCORDING**  
**TO OUR UNITED STATES CONSTITUTION THEN IF YOU DISMISSED MY CASE I WOULD**  
**RESPECT THAT ORDER. BUT YOU CRIMINALS STOLE THAT RIGHT.**

**You Denied Me the right to Procedural and Substantive**  
**Due Process You Criminals denied me**  
**Rule 12. Defenses and Objections--When and How Presented--By Pleading or Motion--Motion for**  
**Judgment on the Pleadings**

**Federal judges engaged in a documented pattern of hard-core violations of major civil**  
**and constitutional rights;**



**It is important to realize that the primary point here is not the victim but the national issues involved, being the widespread judicial obstruction of justice and its serious consequences, the widespread judicial violations of dozens of state and federal laws and constitutional protections that reflect the culture in the federal courts of destroying the rights and protections so as to block the reporting of criminal activities.**

**The right to federal court access and relief when a lawsuit is filed in which the facts stated in the Complaint state a federal cause of action for which federal remedies exist. These rights are established under various federal statutes, including for instance Title 28 U.S.C. §§ 1331, 1345, 2201, 2202, 1361, Title 42 U.S.C. §§ 1983-1988, civil RICO, and under the Constitution as established by the U.S. Supreme Court in the Bivens doctrine.**

**Joseph D'Alessandro  
23136 Prince George Drive  
Lewes Delaware 19958  
302 945 1554**

A large, stylized handwritten signature in black ink, which appears to read "Joseph D'Alessandro". The signature is written in a cursive, flowing style with a long horizontal line extending from the bottom of the name.

**Page 1**

**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**Mr. Joseph D'Alessandro  
23136 Angola Estates Lewes, Delaware 19958  
302 945 1554 Mr. Joseph D'Alessandro (Pro Se)**

**Plaintiff**

**Civil Docket No.**

**VERIFIED COMPLAINT DEMAND A JURY TRIAL (seventh amendment)**

**v.**

**UNITED STATES OF AMERICA  
(through the federal judicial courts)  
and**

**Judge Kent A. Jordan in his official capacity as a Federal Judge  
and  
in His individual capacity.**

**Defendant**

**Unconstitutional infringement by a phony lawyer not elected by the people  
who wears a black robe who is usurping by Civil Rights, Civil Liberties,  
First, Fifth, Ninth, Seventh, and Fourteenth Amendments.  
by this Unconstitutional Order.**

**[I] 05/12/2006 5 ORDER TO SHOW CAUSE: Plaintiff Joseph D'Alessandro shall  
show cause, in writing, by 6/6/2006, why he should not be enjoined from filing without  
prior authorization from the Court. Signed by Judge Kent A. Jordan on 5/12/06. (rwc, )  
(Entered: 05/12/2006)**

**[II] Plaintiff files this suit under His United States Constitution.**

**As follows.**

**[III] This action is brought pursuant to (A) Article III § 2 which extends the jurisdiction  
to cases arising under the U.S. Constitution. Pursuant to Title 28 U.S. Code § 1331, in claims**

arising from violations of federal constitutional rights guaranteed in the First, Fifth, Seventh (right to a jury trial) Ninth (right to exist and a jury trial), Fourteenth Amendment, (equal protection according to law and The Erie Doctrine, and amendments to the U.S. Constitution and redressable pursuant to Bivens v. Six Unknown Narcotics Agents 403 U.S. 388 (1971)."

[IV] If a judge does not fully comply with the Constitution, then his orders are void, In re Sawyer, 124 U.S. 200 (1888), he/she is without jurisdiction, and he/she has engaged in an act or acts of treason.

**TREASON**

Whenever a judge acts where he/she does not have jurisdiction to act, the judge is engaged in an act or acts of treason. U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471, 66 L.Ed.2d 392, 406 (1980); Cohens v. Virginia, 19 U.S. (6 Wheat) 264, 404, 5 L.Ed 257 (1821)2

**Fed.R.Civ.P. 8(f) reads: "All pleadings shall be so construed as to do substantial justice."**

(G) Plaintiff prays for the following relief:

**Treble and Punitive Damages.**

**I declare under penalty of perjury that the foregoing is true and correct.**

Wednesday, May 17, 2006  
(Signature of Plaintiff)

A handwritten signature in black ink, appearing to read "Joseph J. Edwards", written over a horizontal line.



**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**Wednesday, May 17, 2006**

**Joseph D'Alessandro Pro-Se  
23136 Prince George Drive  
Angola Estates  
Lewes, Delaware 19958-9342  
phone (302)-945-1554  
and**

**plaintiffs**

**v. Civil Docket No.  
VERIFIED COMPLAINT DEMAND A JURY TRIAL (seventh amendment)**

**UNITED STATES OF AMERICA  
(through the federal judicial courts)**

**and**

**Judge Kent A. Jordan in his official capacity as a Federal Judge  
and  
in His individual capacity.**

**defendants**

**PLANTIFF MOTION FOR LEAVE TO PROCEED IN  
FORMA PAUPERIS AS PER PLANTIFFS FIRST AMENDMENT TO OUR  
UNITED STATES CONSTITUTION THE FEDERAL COURTS ARE A  
FEDERAL GOVERNMENT AGENCY UNDER THE CONTROL OF OUR  
UNITED STATES CONGRESS**

**PLANTIFF REQUEST**

**That filing fees be waived under a declaration of Oath for lack of funds.**

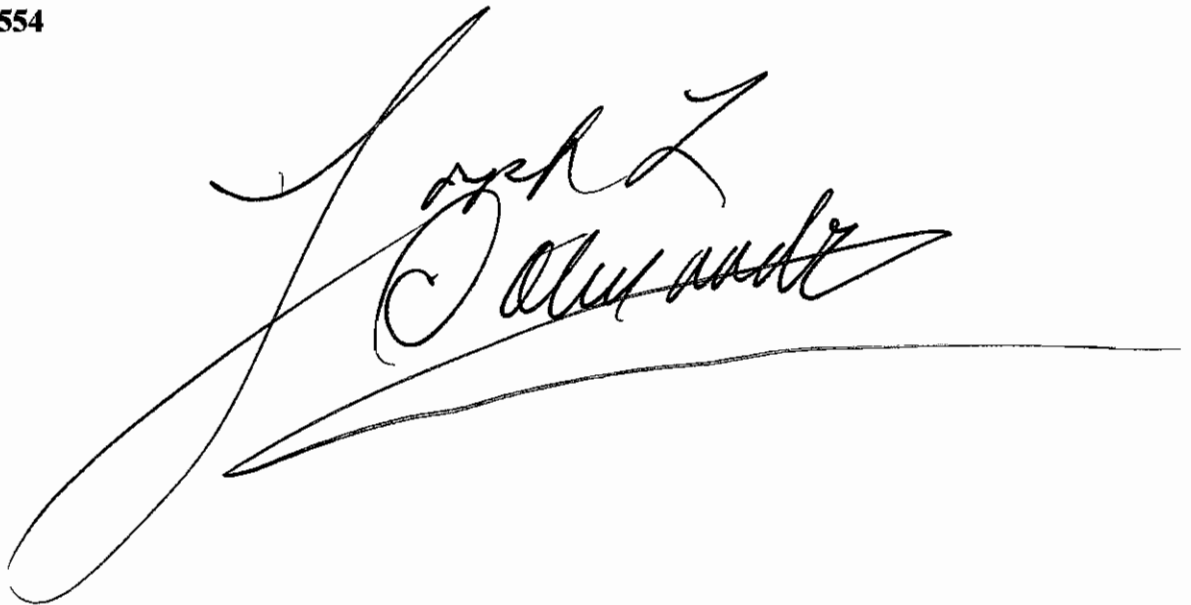
**Plaintiff is living on fixed incomes and on social security disability.**

**and can not afford the filing fee.**

May 17, 2006

signed,

Joseph D'Alessandro  
23136 Prince George Drive  
Angola Estates  
Lewes, Delaware 19958-9342  
phone (302)-945-1554

A handwritten signature in black ink, reading "Joseph D'Alessandro". The signature is written in a cursive, flowing style. The first name "Joseph" is written in a large, sweeping script. The last name "D'Alessandro" is written in a similar cursive style, with the "D" being particularly large and stylized. The signature is positioned above a long, horizontal, slightly wavy line that spans the width of the signature.

**Page 1**

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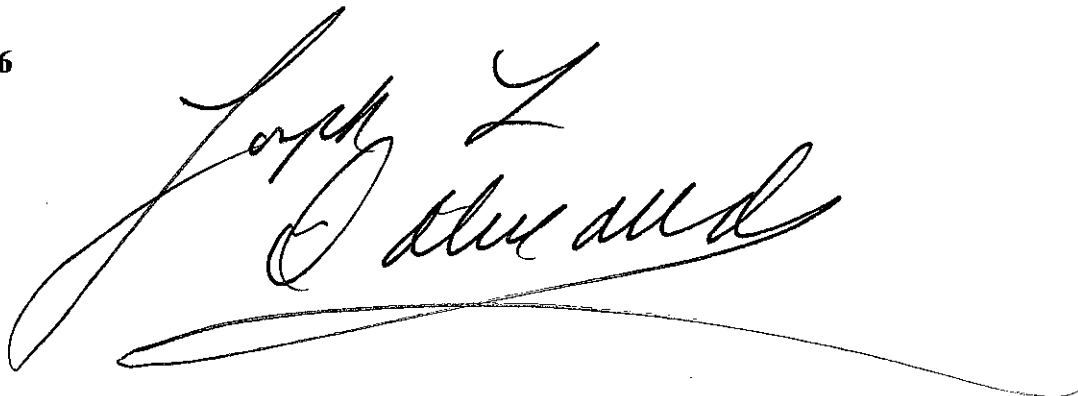
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**Wednesday, May 17, 2006**

**Joseph D'Alessandro Pro-Se  
23136 Prince George Drive  
Angola Estates  
Lewes, Delaware 19958-9342  
phone (302)-945-1554  
and**

**plaintiffs**

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**and can not afford the filing fee.**

**May 17, 2006**

**signed,**

**Joseph D'Alessandro  
23136 Prince George Drive  
Angola Estates  
Lewes, Delaware 19958-9342  
phone (302)-945-1554**

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